



City of El Paso – City Plan Commission Staff Report

Case No: PZDS14-00015
Application Type Detailed Site Development Plan Review
CPC Hearing Date June 5, 2014
Staff Planner Andrew Salloum, 915-212-1613, salloumam@elpasotexas.gov

Location 5257 Charl Ann Street
Legal Description Tract 6B, Block 5, Upper Valley Surveys, City of El Paso, El Paso County, Texas
Acreage 4.967 acres
Rep District 1
Existing Zoning A-2/c/sc (Apartment/conditions/special contract)
Existing Use Vacant
C/SC/SP/ZBA/LNC SC: Ordinance No. 7266 dated July 21, 1981 (see Attachment #5)
C: Ordinance No. 017269 dated January 26, 2010 (see Attachment #6)
Request Detailed Site Development Plan Review per condition imposed by Ordinance No. 017269 dated January 26, 2010
Proposed Use Middle school for St. Mark's

Property Owner St. Mark's United Methodist Church
Applicant Jon Moore
Representative PSRBB Commercial Group, Inc.

SURROUNDING ZONING AND LAND USE

North: R-2 (Residential) / Nursery and vacant
South: R-2 (Residential) / Single-family dwellings
East: C-3 (Commercial) / Retail and restaurant
West: R-2 (Residential) / Single-family dwellings

PLAN EL PASO DESIGNATION: G-3, Post-War (Northwest Planning Area)

NEAREST PARK: Thorn Park (2,498 feet)

NEAREST SCHOOL: Mitzi Bond Elementary (1,612 feet)

NEIGHBORHOOD ASSOCIATION

Coronado Neighborhood Association
Save the Valley
Upper Mesa Hills Neighborhood Association
Upper Valley Improvement Association
Upper Valley Neighborhood Association

NEIGHBORHOOD INPUT

Detailed Site Development Plan Review does not require public notification as per Section 20.04.520, Notice of the El Paso City Code.

CASE HISTORY

On July 21, 1981, the subject property was rezoned from R-2 (Residential) to R-3 (Residential) to permit a more flexible development of townhouses. The following conditions were imposed by special contract Ordinance No. 7266 dated July 21, 1981 (Attachment #5):

1. *No building permits shall be issued for construction on the property until First Party has, at no cost to the City, done the following:*

a. Constructed 8 foot high masonry wall adjacent to the portion of the southerly boundary of the property which runs along the northerly boundary of Tract 7B, Block 5, Upper Valley Surveys;

b. Installed a concrete pipe in the community irrigation ditch which runs along the southerly boundary of the portion of the property which is adjacent to the northerly boundary of Tract 7B, Block 5, Upper Valley Surveys.

2. *The work required under paragraph 1 hereof shall be completed by First Party and approved by the City Engineer of the City of El Paso before building permits shall be issued for construction on the property.*

On January 26, 2010, the subject property was rezoned from R-3 (Residential) to A-2 (Apartment) to allow for multi-family dwellings. As part of the rezoning the following conditions were imposed by Ordinance No. 017269 dated January 26, 2010 (Attachment #6):

1. That a detailed site development plan be reviewed and approved in conformance with the El Paso City Code prior to issuance of building permits.

2. The existing trees along the westerly property line of subject property along the lateral shall be preserved.

3. That an eight-foot rockwall be erected at the rear of the property adjacent to the drainage canal prior to the beginning of construction.

The conditions above have been satisfied.

APPLICATION DESCRIPTION

The request is for a detailed site development plan review as required by Ordinance No. 017269 dated January 26, 2010 (see Attachment #6). The detailed site development plan shows a new 18,046 sq. ft. classroom building, 11,400 sq. ft. gymnasium, combination football and soccer practice fields, and three exterior basketball courts. The structure heights are as follows: a classroom building 32 feet and 7 inches in height and gymnasium building 27 feet in height. The development also includes a future 8,000 sq. ft. classroom addition. The development requires a maximum of 38 parking spaces; and the applicant is providing 60 parking spaces and 5 bicycle spaces. Access to the subject property is proposed from Charl Ann Street.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the detailed site development plan request as it meets all the requirements of Section 20.04.150, Detailed Site Development Plan.

ANALYSIS

20.04.140 When required.

Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.

Note: Detailed Site Development Plan review is required due to a condition imposed on the subject property.

20.04.150 Procedure.

C. Administrative approval. Detailed site development plans meeting the following conditions shall be reviewed and approved by the zoning administrator:

1. The site is two acres or less in size, and
2. The site plan contains no more than two buildings, and
3. The site plan complies with any zoning conditions and all city code provisions, to include the tables for uses and density and dimensional standards and;
4. The city's department of transportation has no concerns with access or restriction of access to the site; and,
5. The site plan complies with staff recommendations concerning the location of stormwater drainage structures and easements to include onsite ponding areas; the location and arrangement of structures, vehicular and pedestrian ways; open spaces and landscape planted areas. Staff recommendations shall not require that the site plan have landscaping in excess of what is required under the city code or any zoning condition.

If the zoning administrator does not approve an applicant's detailed site development plan, the applicant may appeal the decision to the city plan commission. The applicant must file the appeal with the zoning administrator within fifteen business days from the date of the zoning administrator's decision. The zoning administrator shall place the appeal on the city plan commission agenda to be heard by the commission within thirty business days from the date the appeal was received. The zoning administrator shall include the detailed site plan, the appeal, and a summary of the zoning administrator's reasons for disapproving the detailed site plan.

Note: the detailed site development plan review is not eligible for administrative approval, as the subject property is more than 2 acres in size.

D. City plan commission approval. Pursuant to this Code, the city plan commission, in addition to the powers and duties identified in this chapter, shall have final authority on approval of all other detailed site development plans, unless a zoning condition, contract provision, other city code provision or state law require the detailed site development plan to be approved by city council.

1. The planning division shall make its recommendations to the city plan commission within thirty days after a complete application is submitted.
2. The city plan commission shall hold a public hearing at its regular meeting that is within thirty days from receipt of department recommendations.
3. The commission shall consider the following information when approving a proposed detailed site development plan: the boundaries of the tract proposed for development; location and arrangement of structures; determine if the use conforms to applicable zoning regulations, determine if historic landmark commission approval has been granted for architectural design of all structures if located in a historic district and the design conforms to such approval; location of utility rights-of-way and easements and stormwater drainage; vehicular and pedestrian ways; on-site parking areas; location of open spaces and landscape planted areas.
4. In no instance shall the city plan commission have authority to vary the yard standards applicable to the district.
5. The city plan commission shall approve the plan if it complies with all applicable code provisions.

Planning Staff has reviewed the detailed site development plan, and it meets all requirements of Sections 20.04.320, Special Permit, and 20.04.150, Detailed Site Development Plan.

Plan El Paso- Future Land Use Map Designation

All applications for detailed site plan review shall demonstrate compliance with the following criteria:

G-3, Post-War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the A-2 (Apartment) district is to promote and preserve residential development within the city associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain nonresidential uses and support facilities.

COMMENTS:

Planning Division – Transportation

No objections.

General Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

City Development Department – Plan Review

No objection.

City Development Department - Landscaping Review

Landscape requirement is met.

City Development Department - Land Development

No objections.

Fire Department

The fire dept. Recommends “APPROVAL” of “Detailed Site Plan Application” as presented.

NOTE:

In accordance with the requirements of the Zoning Code Section 20.04.160 Content of application the Fire Planning Division has reviewed the submitted “Detailed Site Plan for the following: Elevations, Perspective of the building, Dimensions, square footage and height of all structures, Number of dwelling units in Multi- family structures, and Driveways as applicable to following sections of the fire code; Sections 503 and Appendix D Fire Apparatus Access Roads, Section 903 Automatic Sprinkler Systems, Section 905 Standpipe Systems.

“When required as per section 905.3.1, 905.4 and 905.5 all fire protections system plans shall be submitted separately to Fire Plan Review for further requirements and comments”.

The Fire Planning Division has reviewed the submitted “ Detailed Site Plan Application” as per requirements of the Zoning Code Section 20.04.160 Content of application and has determined that the submission DOES Comply within the zoning regulations.

Sun Metro

Sun Metro does not oppose this request; Recommends the construction of sidewalks to permit pedestrian access to mass transit opportunities; Route 12, 16, and 17 provide services along Doniphan Dr.; A bus stop is located approximately 900’ away (to access pedestrians are required to travel to Lindbergh Dr. to safely cross the railroad tracks).

El Paso Water Utilities

We have reviewed the detailed site plan described above and provide the following comments:

EPWU does not object to this request.

Water:

There is an existing 8-inch diameter water main extending along Charl Ann Rd. located approximately 60 feet east of the property's eastern boundary line. This main is available for service.

Sanitary Sewer:

There is an existing 24-inch diameter force main extending along Charl Ann Rd. located approximately 40 feet east of the property's eastern boundary line. No direct service connections are allowed to this main.

There is an existing 8-inch diameter sanitary sewer main located along Charl Ann Rd., located just north of the property's north east corner. The main is 4.5 feet in depth.

Sanitary sewer service for this property is critical. EPWU-PSB requests that site be graded so that sanitary sewer may be provided by gravity. Sanitary sewer main extension costs are the responsibility of the Owner/Developer.

General:

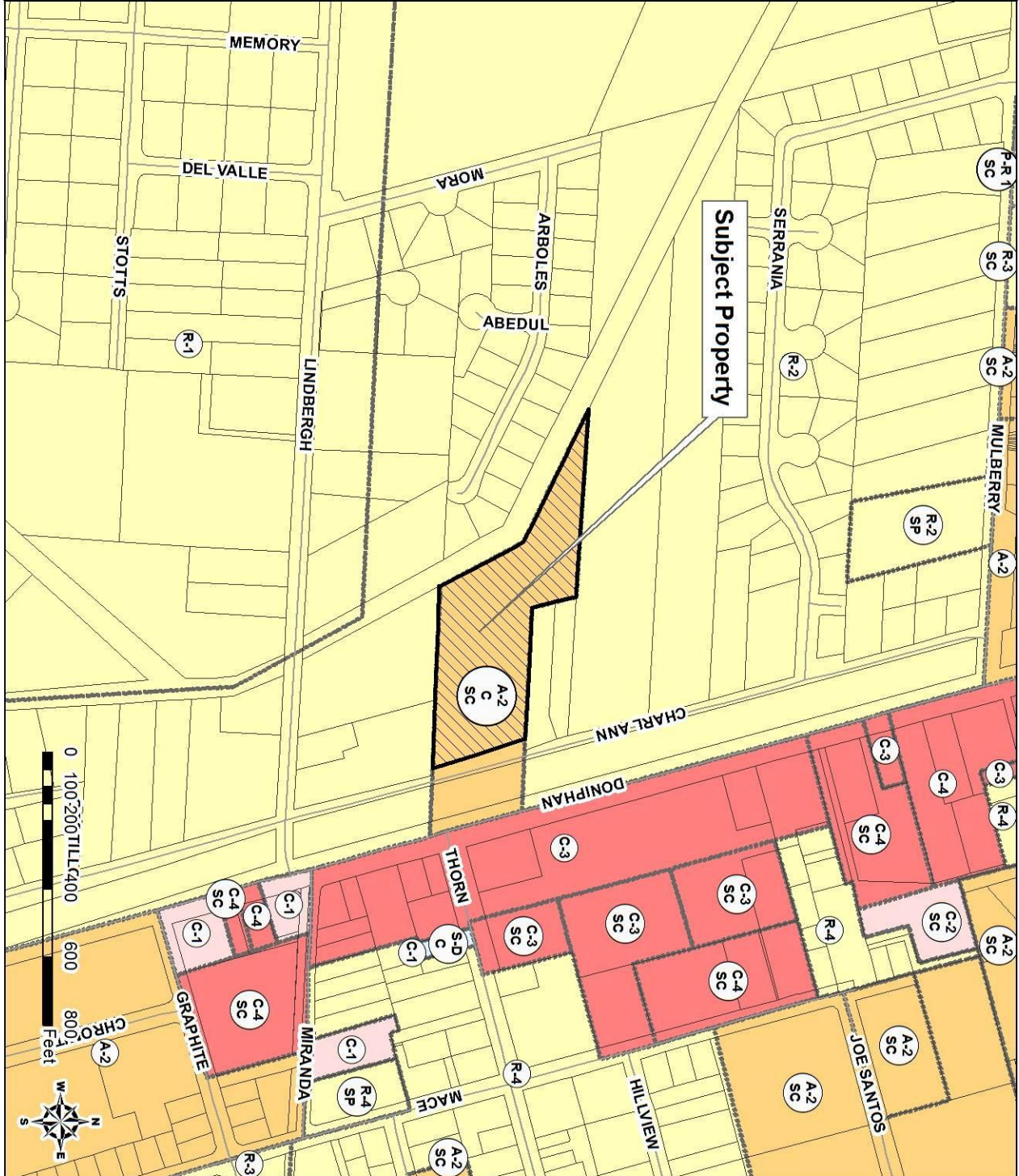
EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Ordinance No. 7266
6. Ordinance No. 017269

ATTACHMENT 1: ZONING MAP

PZDS14-00015

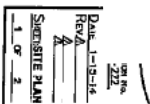


ATTACHMENT 2: AERIAL MAP

PZDS14-00015

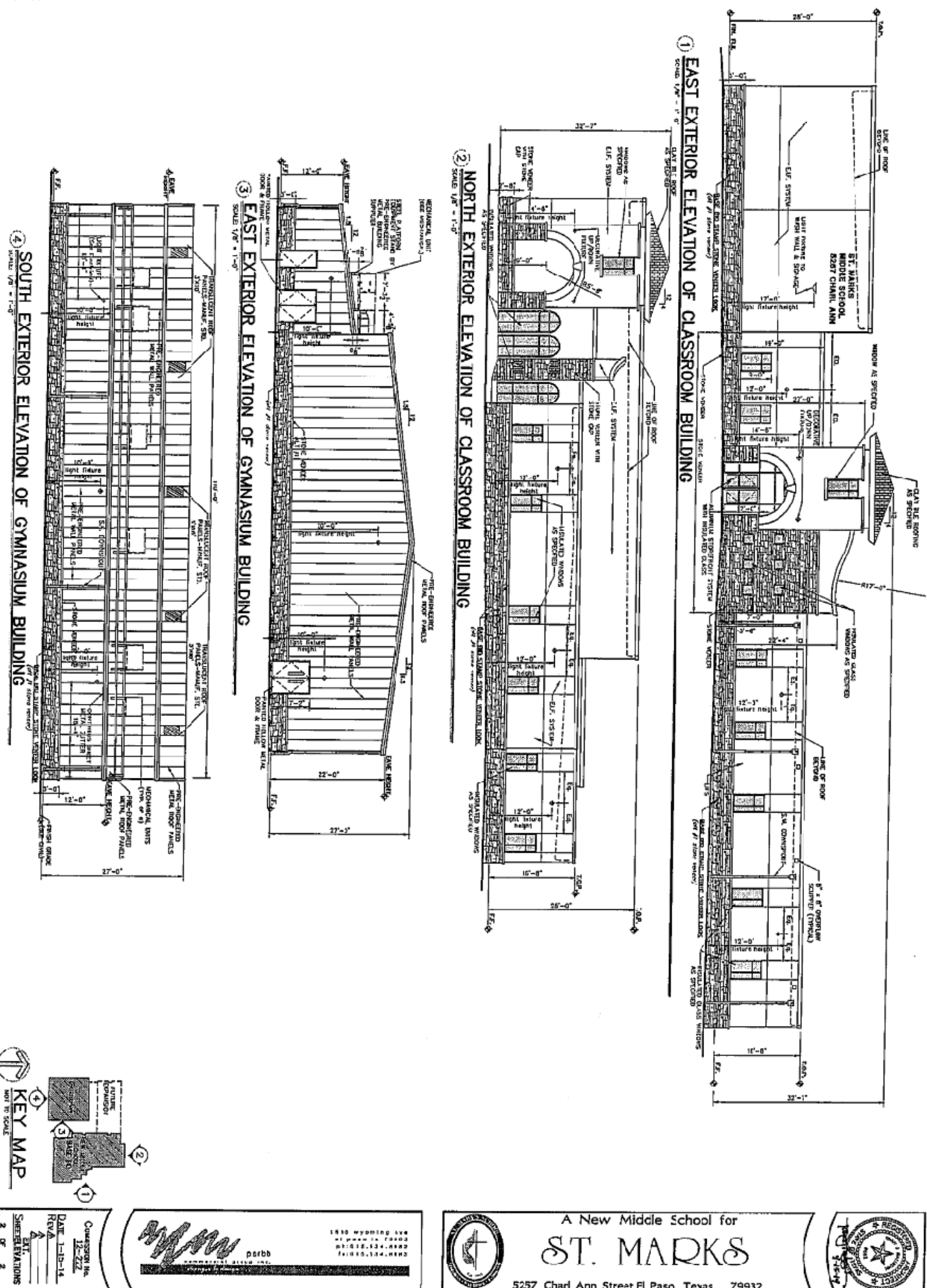


For a complete listing of the books in this series, see the back cover of this book.



A New Middle School for
ST. MARKS
5257 Charl Ann Street El Paso, Texas 79932

June 5, 2014



ATTACHMENT 5: ORDINANCE NO. 7266

CONTRACT

THIS CONTRACT MADE this 21st day of July, 1981, by and between CHARL ANN JOINT VENTURE, a partnership composed of PAT WATTS, CHUCK LUCIANO, TOM DAWSON and JOE SEAVERNS, First Party, and the CITY OF EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning of all of Charl-Ann Park Subdivision, in the City of El Paso, El Paso County, Texas. In order to remove certain objections to such rezoning, First Party covenants that if the property is rezoned to R-3 (Residential) District within the meaning of the zoning ordinance of the City of El Paso, it shall be subject to the following restrictions, conditions and covenants:

1. No building permits shall be issued for construction on the property until First Party has, at no cost to the City, done the following:

- (a). Constructed an 8-foot high masonry wall adjacent to the portion of the southerly boundary of the property which runs along the northerly boundary of Tract 7B, Block 5, Upper Valley Surveys;
- (b). Installed a concrete pipe in the community irrigation ditch which runs along the southerly boundary of the portion of the property which is adjacent to the northerly boundary of Tract 7B, Block 5, Upper Valley Surveys.

Such work shall be done in accordance with plans and specifications to be approved by the City Engineer of the City of El Paso.

2. The work required under paragraph 1 hereof shall be completed by First Party and approved by the City Engineer of the City of El Paso before building permits shall be issued for construction on the property.

This contract is a restriction, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Party and its successors in title. Any future conveyance of the land shall contain these restrictions, conditions and covenants and shall embody this contract by express reference.

ATTACHMENT 6: ORDINANCE NO. 17269

Doc# 20100009618

12A
151/3

CITY CLERK DEPT.

10 JAN 29 PM 2:33

ORDINANCE NO. 017269

AN ORDINANCE CHANGING THE ZONING OF TRACT 6B, BLOCK 5, UPPER VALLEY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-3/sc (RESIDENTIAL/SPECIAL CONTRACT) TO A-2/sc (APARTMENT/SPECIAL CONTRACT), AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of *Tract 6B, Block 5, Upper Valley Surveys, City of El Paso, El Paso County, Texas*, and more particularly described by metes in bounds in the attached Exhibit "A", be changed from **R-3/sc (Residential/special contract)** to **A-2/sc (Apartment/special contract)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following conditions which is necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

1. *That a detailed site development plan to be reviewed and approved in conformance with the El Paso City Code prior to issuance of building permits.*
2. *The existing trees along the westerly property line of subject property along the lateral shall be preserved.*
3. *That an eight-foot rockwall be erected at the rear of the property adjacent to the drainage canal prior to the beginning of construction.*



PASSED AND APPROVED this 26th day of January, 2010.

THE CITY OF EL PASO

John F. Cook
John F. Cook, Mayor

Richard Duffy-Morris
Richard Duffy-Morris, City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy
Mathew S. McElroy
Deputy Director - Planning
Development Services Department

Doc #52516/Planning/Ord/ZON09-00062/LCUE

ORDINANCE NO. 017269

Zoning Case No: ZON09-00062